

REMARKS

Claims 1-15 are presented for examination. Claim 12 was found allowable subject to being rewritten in independent form. Claims 1-11 and 13-15 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Deng.

To more clearly define the claimed subject matter, claims 2 and 11 have been rewritten in independent form including limitations of respective base claims 1 and 10, which are cancelled without prejudice or disclaimer.

The rejection of claims 2-9, 11 and 13-15 over Deng is respectfully traversed for the following reasons.

Independent claim 2 recites a data communication system comprising:

- multiple switching devices for switching data packets, and
- an expansion bus for transferring the data packets between the switching devices.

Each switching device has an address processing block for comparing destination address information of a received data packet with current address information, and producing a match signal supplied to another switching device when the destination address information matches the current information. The match signal informs said another switching device that the destination address information that causes the match signal is associated with the switching device that generates the match signal.

Independent claim 11 recites a method of data switching in a data switching system having multiple switching devices. The method comprises the steps of:

comparing destination address information of a received data packet with first current address information maintained by a first switching device, and

supplying a match signal to a second switching device when the destination address information matches the first current address information. The match signal informs the second switching device that the destination address information that causes the match signal is associated with the first switching device that generates the match signal.

In the application of a rejection under 35 U.S.C. § 103, it is incumbent upon the Examiner to factually support a conclusion of obviousness. As stated in *Graham v. John Deere Co.* 383 U.S. 1, 13, 148 U.S.P.Q. 459, 465 (1966), obviousness under 35 U.S.C. §103 must be determined by considering (1) the scope and content of the prior art; (2) ascertaining the differences between the prior art and the claims in issue; and (3) resolving the level of ordinary skill in the pertinent art.

However, the Examiner did not point out wherein Den discloses supplying the match signal that informs another switching device that the destination address information that causes the match signal is associated with the switching device that generates the match signal, as claims 2 and 11 require.

Deng discloses that when the destination address is found in the address table (block 156), the data packet is ignored (block 158). The reference specifies that “in this case, the data packet is being sent to another device within the LAN segment connected to LAN port 102. (col. 6, lines 57-59). Hence, Den does not disclose supplying the claimed match signal.

Moreover, the Examiner must provide a reason why one having ordinary skill in the art would have been led to modify the prior art or to combine prior art references to arrive at the claimed invention. *Ashland Oil, Inc. v. Delta Resins & Refractories, Inc.*, 776 F.2d 281, 227 USPQ 657 (Fed. Cir. 1985). *In re Fine*, 837 F.2d 1071, 5 USPQ2d

1596 (Fed. Cir. 1988); *Stratoflex, Inc. v. Aeroquip Corp.*, 713 F.2d 1530, 218 USPQ 871 (Fed. Cir. 1983); *In re Warner*, 379 F.2d 1011, 154 USPQ 173 (CCPA 1967).

However, the Examiner has failed to provide a reason why one skilled in the art would have been led to modify Den to arrive at the claimed invention.

Moreover, it is respectfully submitted that Den does not teach or suggest the subject matter of dependent claims 3-9 and 13-15. The Examiner has failed to point out specifically wherein the reference discloses the subject matter of these claims.

Hence, the Examiner's rejection of claims 2-9, 11 and 13-15 is unwarranted and should be withdrawn.

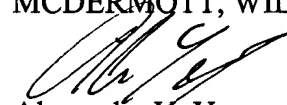
In view of the foregoing, and in summary, claims 2-9, and 11-15 are considered to be in condition for allowance. Favorable reconsideration of this application, as amended, is respectfully requested.

Entry of the amendments of claims under 37 CFR § 1.116 is respectfully requested because the amendments are limited to canceling claims 1 and 10 and rewriting dependent claims 2 and 11 in independent form.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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